

**MEMORANDUM OF UNDERSTANDING
BETWEEN
UTAH DEPARTMENT OF HEALTH
DIVISION OF HEALTH CARE FINANCING
AND
UTAH DEPARTMENT OF WORKFORCE SERVICES
'1 for 2' Project
(July 1, 2007 to June 30, 2008)**

3/21/2007

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to define the roles and responsibilities of the above listed agencies in implementing the Utah SSDS '1 for 2' Project. This amendment is to extend the original expiration date from July 31, 2007 to June 30, 2008. There will be no changes in the terms and conditions and define the responsibilities of each agency.

II. Introduction

The Utah Department of Health (UDOH) signed a contract with the Social Security Administration (SSA) to implement the '1 for 2' Project beginning April 10, 2005. UDOH is sub-contracting with the Utah State Office of Rehabilitation, Utah State University Psychology Department (USU-PD), and the University of Utah Center for Public Policy and Administration (UU-CPPA), to partner with UDOH in implementing the project. The Utah Department of Workforce Services (DWS), Valley Mental Health and Bear River Mental Health are additional partners with whom UDOH has Memoranda of Understanding to implement the project.

The '1 for 2' Project is intended to test the implementation of a Social Security Disability Insurance (SSDI) benefit offset under a waiver of existing SSA policies within the context of employment support programs in Utah. Using an experimental design, the project intends to enroll 500 individuals who receive SSDI benefits only, and will randomly assign 250 enrollees to a Pilot Rules (intervention) group and 250 to a Current Rules (control) group. The project will evaluate the implementation and preliminary employment outcomes following the benefit offset intervention. Funding from SSA will be used to administer the project and to provide Benefits Planning services to all participants who request it. The objectives of the Utah pilot demonstration are:

- To design and implement recruitment strategies to inform potential enrollees so they can make an informed choice about participating.
- To design and implement methods of maintaining participation in the project by both intervention and control participants.
- To identify problems and issues surrounding the provision of Utah's employment support interventions and the integration of these with the benefit offset.
- To identify and describe participants for whom the employment support

interventions are the most effective.

III. Data Sharing

A. Legal Authority

1. The Legal Authority for conducting the Utah SSDI ‘1 for 2’ Project is Section 234 of the Social Security Act [42 U.S.C 434 Sec. 234].

2. §603.5 Disclosure of information.

The State unemployment compensation agency will disclose to authorized requesting agencies, as defined in §603.2(d), which have entered into an agreement in accordance with this part, wage and claim information as defined herein contained in the records of such State agency as is deemed by the requesting agency to be needed in verifying eligibility for, and the amount of, benefits.

d) *Requesting agency* means:

(6) The Secretary of Health and Human Services in establishing or verifying eligibility or benefit amounts under titles II and XVI of the Social Security Act (section 1137(a)).

3. Federal Register 20 CFR Part 603, Thursday April 12, 2004, Section 603.5 (d). Permits disclosure of UC (Federal-State Unemployment Compensation Program) information on the basis of informed consent to: (2) to a third party only if that entity obtains a written release from the individual or employer to whom the information pertains...in the case of disclosures to a third party, the release must be signed and must include the following statements in Federal Register – (*see Federal Register/Vol. 69. No. 155/Thursday, August 12, 2004 and Draft of Utah SSDI ‘1 for 2’ Project Authorization to Disclose Information form*).
4. The Legal Authority for sharing public assistance records: Utah Code Annotated Subsection 63-3-206(2) Government Records Access and Management Act (GRAMA) permitting private or controlled records to be provided to another governmental entity if it is necessary to the performance of that entity’s duties and functions, will be used for a purpose similar to the purpose for which the information in the record was collected, and the public benefit outweighs the individual privacy right that protects the record; R986-100-109.

B. Authorization to disclose information

1. DWS will provide to the ‘1 for 2’ Project team administrative data on enrollees who have previously given written authorization permitting DWS to release the data. The quarterly wage data provided to the Project team will not include information that could be used to identify the reporting employers. The quarterly wage data may include, if needed, a coded notation to represent (but not identify) each employer, which would allow the Project team to recognize instances where

the participants have reported a change of employer in their Unemployment Insurance File. The Project team will bear the additional cost of quarterly wage data coding and programming.

2. The Authorization to Disclose form to be signed by each participant, (attached) contains the following: (a) a statement acknowledging that the individual's information will be released; (b) a statement explaining why the information is needed; (c) a statement informing the participants that the '1 for 2' Project team may use their information kept in State government files; and (d) a list of all parties who may receive the information released (UIPL 23-96 Disclosure of Confidential Employment Information to Private Entities).
3. Utah State University Psychology Department (USU-PD) is a subcontractor for the '1 for 2' project with the charge to manage the administrative data and conduct analysis. USU-PD will provide a batch file to DWS including Client Name, Social Security Number, and Date of Birth. DWS will return administrative data to the USU-PD data manager where a match exists.

C. Data Requested

The following data elements are requested for the individuals who match based on a combination of SSN, and Date of Birth:

1. Quarterly wage data from Unemployment Insurance Records for dates extending from January 1, 2000 to the most recent quarter data available at the date of the request. That data should include count of employers reporting wages per quarter. As stated in Section B, this data will not contain information that can be used to identify specific employers.
2. Family Employment Program (TANF/FEP) data
 - a. Months received cash assistance from January 1, 2000 through December 31, 2008.
 - b. Monthly amounts of cash assistance
3. General Assistance (GA) program data
 - a. Months received cash assistance from January 1, 2000 through December 31, 2008.
 - b. Monthly amounts of cash assistance
4. Food stamp program data
 - a. Months received food stamps from January 1, 2000 through December 31, 2008.
 - b. Monthly amounts of food stamp assistance
5. Training program data
 - a. Type of employment preparation or vocational training provided
 - b. Start and end dates of training occurring from January 1, 2000 through December 31, 2008.
 - c. Total cost of training paid by DWS.

D. Data Security

1. Utah Department of Health and its sub-contractors will limit access to individually-identifiable data in electronic or hardcopy format to authorized individuals in the '1 for 2' Project. Authorized individuals are the USU-PD Evaluation Manager, the USU-PD Data Manager, and the UDOH Project Director and Dept. of Workforce Services MIS Manager (or delegated staff). All parties with access to individually-identifiable data will comply with the protection of confidentiality regulations contained in 20 C.F.R. § 603.7 (2005).
2. The '1 for 2' project team and its subcontractors will allow DWS to make on-site inspections to ensure the proper protection and use of confidential data in compliance with this memorandum of understanding.
3. Public Assistance Records – Unlawful access or disclosure penalties: Utah Code Annotated, Section 63-2-801 provides criminal penalties as follows: Any person with lawful access to such record and who intentionally discloses or provides a copy to any person knowing that the disclosure is prohibited is guilty of a class B misdemeanor. Any person who by false pretenses, bribery, or theft, gains access to or obtains a copy of any such record to which he is not legally entitled is guilty of a class B misdemeanor. The penalty for a class B misdemeanor is imprisonment for a term not to exceed 6 months and/or a fine not to exceed \$1,000.

IV. Implementation Evaluation

In order to answer the research questions regarding implementation of the 1 for 2' Project, selected key DWS staff will be invited to participate in interviews on project implementation.

V. Time Frame

This memorandum of understanding shall cover the time period beginning July 1, 2007, through June 30, 2008.

VI. Amendments

Amendments to this agreement may be requested and may be made at anytime upon approval of the Director of the Division of Health Care Financing, and the Director of Department of Workforce Services.

VII. Signatures

Kristen Cox, Executive Director
Utah Department of Workforce Services

Date

David N. Sundwall M.D.
Utah Department of Health

Date

Shari Watkins, Director of Fiscal Operations
Utah Department of Health

Date